



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,602	08/01/2003	Steven M. Casey	20366-091200	4327

20350 7590 12/12/2006

TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

EXAMINER

SONG, HOSUK

ART UNIT PAPER NUMBER

2135

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding..

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/632,602	CASEY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	HOSUK SONG	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 August 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 17-25 is/are rejected.
- 7) ☒ Claim(s) 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10632602</u> .  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-15,17-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Venkatachary et al(US 7,032,241).

Claim 1: Venkatachary disclose a global authentication authority, wherein the global authentication authority is communicatively coupled to a global communication network and a network interface device associated with a customer premises, wherein the network interface device is communicably coupled to the global communication network and to a local communication network in (fig.1,#114,#108,#112). Venkatachary disclose a local authentication authority associated with the network interface device(fig.3A,#184), wherein the local authentication authority is operable to authenticate a plurality of digital assets maintained in relation to the customer premises, and communicably coupled to the local communication network in (fig.3A,#104).

Claim 2: Venkatachary disclose global authentication authority is operable to authenticate the network interface device, and to implicitly authenticate at least one of the plurality of digital assets maintained in relation to the customer premises in (fig.3A and col.3,lines 16-27).

Claim 3: Venkatachary disclose implicitly authenticating at least one of the plurality of digital assets maintained in relation to the customer premises includes assessing a digital security device associated with at least one of the plurality of digital assets maintained in relation to the customer premises in (fig.3A).

Claim 4: Venkatachary disclose registering the at least one digital security device associated with at least one of the plurality of digital assets maintained in relation to the customer premises in (col.11,lines 48-57 and fig.3A).

Claim 5: Venkatachary disclose at least one of the global authentication authority and the local authentication authority is operable to issue and store at least one digital security device in(col.5,lines 44-58 and col.6,lines 7-24).

Claim 6: Venkatachary disclose network interface device is further operable to access the at least one digital security device from at least one of the plurality of digital assets maintained in relation to the customer premises, and to register the at least one digital security device in relation to at least one of: the global authentication authority and the local authentication authority in (fig.2 and col.3,lines 16-30).

Claims 7,8: Venkatachary disclose digital security device is a digital certificate in (col.6,lines 39-46).

Claim 9: Venkatachary disclose local communication network extends within the customer premises, and wherein the global communication network extends external to the customer premises in (fig.3A).

Claim 10: Venkatachary disclose digital assets are selected from a group consisting of: content objects and customer premises equipment in (col.8,lines 32-40).

Claim 11: Venkatachary disclose content objects are selected from a group consisting of: recorded audio, recorded live audio,live video, email,live chat, live voice,voicemail, and games in (col.8,lines 36-47).

Claim 12: Venkatachary customer premises equipment is selected from a group consisting of: video recorder, audio recorder,storage device, personal computer,PDA.mobile telephone,dish antenna,television,refrigerator,and security equipment in (col.8,lines 36-40).

Claim 13: Venkatachary disclose a first digital asset source, wherein the first digital asset source is communicably coupled to a plurality of digital assets maintained in relation to a customer premises, and wherein the first digital asset source is communicably coupled to a first communication network in (fig.1). Venkatachary disclose a first authentication authority associated with the first digital asset source; a second digital asset source operable to request a digital asset from the first digital asset source (fig.1, #106), wherein the second digital asset source is communicably coupled to a second communication network and a second authentication authority associated with the second digital asset source in (fig.1, #112, 114).

Claim 14: Venkatachary disclose customer premises is a first customer premises, and wherein the second digital asset source is maintained in relation to a second customer premises in (fig.1).

Claim 15: Venkatachary disclose first authentication authority is a local authentication authority, and wherein the second authentication authority is a global authentication authority in (fig.1, #114, #108, #112).

Claim 17: Venkatachary disclose receiving access information from a network interface device and based at least in part on the access information, implicitly authenticating a digital asset associated with the network interface device in (fig.1, 2; col.10, lines 46-57).

Claim 18: Venkatachary disclose access information includes a security device received from a one of: a global authentication authority and a local authentication authority in (fig.1, #114, #108, #112).

Claim 19: Venkatachary disclose the network interface device is associated with a customer premises, and wherein the authenticating the network interface device includes receiving at least one digital security device associated with a digital asset maintained in relation to the customer premises in (fig.1 and col.11, lines 24-35).

Claim 20: Venkatachary disclose registering the at least one digital security device associated with the digital asset maintained in relation to the customer premises in (col.11, lines 28-35 and fig.1).

Art Unit: 2135

Claim 21: Venkatachary disclose digital asset is a content object in (col.8,lines 32-40).

Claim 22: Venkatachary disclose content objects are selected from a group consisting of: recorded audio, recorded live audio, live video, email, live chat, live voice, voicemail, and games in (col.8,lines 36-47).

Claim 23: Venkatachary disclose digital asset is a customer premises equipment in (col.8,lines 36-40).

Claims 24,25: Venkatachary customer premises equipment is selected from a group consisting of: video recorder, audio recorder, storage device, personal computer, PDA, mobile telephone, dish antenna, television, refrigerator, and security equipment in (col.8,lines 36-40).

#### ***Allowable Subject Matter***

Claim 16 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Information Disclosure Statement***


The information disclosure statement filed 11/17/03, 3/1/04 and part of 10/27/03 fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

***USPTO Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOSUK SONG whose telephone number is 5712723857. The examiner can normally be reached on mon-fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KIM VU can be reached on 5712723859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
HOSUK SONG  
PRIMARY EXAMINER